

Notice of Allowability

Application No.

10/693,530

Examiner

Thomas A. Morrison

Applicant(s)

RIESCHICK, DAVID L.

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's telephone interview of 9/10/2007.
2. ☒ The allowed claim(s) is/are 1-3,5-12,14,20 and 21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

PATRICK MACKEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. David P. Maivald on 9/10/2007.

IN THE CLAIMS:

In claim 12, line 11 after "upward", -- , wherein the deliverer further comprises:

a first set of vacuum belts, each belt within the first set having a pair of ends with a pulley at each end, and a plurality of apertures defined along the belts, and a vacuum chamber disposed below top surfaces of the first set of vacuum belts, structured to provide a suction through the apertures;

a vacuum roller disposed adjacent to one end of the first set of vacuum belts and substantially parallel to the pulleys of the first set of vacuum belts, the vacuum roller defining a pair of ends, a hollow interior, and at least one row of apertures, each row of apertures extending axially down a length of the vacuum roller, the vacuum roller further comprising a vacuum fitting in communication with the hollow interior; and

a second set of vacuum belts disposed adjacent to the vacuum roller and coplanar with the first set of vacuum belts, each belt within the second set having a pair of ends with a pulley at each end, and a plurality of apertures defined along the belts,

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wherein the vacuum roller further comprises:

an outer rotating portion and an inner stationary portion,

wherein the outer rotating portion defines the at least one row of apertures,

wherein the inner stationary portion defines the hollow interior and includes a row of apertures provided therein, and

wherein the row of apertures of the inner stationary portion extend axially down the length of the vacuum roller, with each of the apertures of the inner stationary portion corresponding to one aperture within each row of apertures defined within the outer rotating portion -- has been added.

Claims 18 and 19 have been canceled.

In claim 20, line 1 after "claim", "18" has been replaced with -- 12 --.

In claim 21, line 1 after "claim", "19" has been replaced with -- 12 --.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

Independent claim 1 of applicant's 6/15/2007 Amendment is patentable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including a rippler disposed between at least some of the first set of vacuum belts.

Independent claim 12 of applicant's 6/15/2007 Amendment, and as modified by the attached examiner's amendment, is patentable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including the vacuum roller further comprising an outer rotating portion and an inner stationary portion, wherein the outer rotating portion defines the at least one row of apertures, wherein the inner stationary portion defines the hollow interior and includes a row of apertures provided therein, and wherein the row of apertures of the inner stationary portion extend axially down the length of the vacuum roller, with each of the apertures of the inner stationary portion corresponding to one aperture within each row of apertures defined within the outer rotating portion.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

9/11/2007


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